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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

225

## Complete if Known

Application Number	10/767002
Filing Date	January 28, 2004
First Named Inventor	BRESLOW, ROBERT, et al.
Examiner Name	Weinstein, Steven L.
Art Unit	1761
Attorney Docket No.	66873-010001

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

 Deposit Account Deposit Account Number: 13-0206 Deposit Account Name: McDermott Will & Emery LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)
0	- 20 or HP =	0	x 50 = 0		
HP = highest number of total claims paid for, if greater than 20					
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
0	- 3 or HP =	0	x 200 = 0		
HP = highest number of independent claims paid for, if greater than 3					

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 =	/ 50 = (round up to a whole number)	x _____ = 0	

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

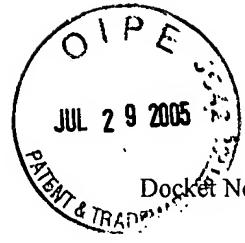
Other: Petition for Two-Month Extension of Time (\$225) \_\_\_\_\_ 225

## SUBMITTED BY

Signature	Patrick D. Richards	Registration No. 48,905 (Attorney/Agent)	Telephone 312.372.2000
Name (Print/Type)	Patrick D. Richards	Date	July 26, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Docket No.: 66873-010001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BRESLOW, ROBERT, et al.  
Appl. No. : 10/767002  
Filed : January 28, 2004  
Title : FROZEN ADDITIVE FOR USE  
WITH A HEATED BEVERAGE  
  
Grp./A.U. : 1761  
Examiner : Weinstein, Steven L.  
Customer No. : 1923

Confirmation No.: 5023

Certificate of Mailing

I hereby certify that this correspondence (along with any documents referred to as attached or enclosed) is being deposited with the US Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 26, 2005.

*Patrick D. Richards*  
Patrick D. Richards, Reg. No. 48,905

PETITION FOR EXTENSION OF TIME

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the time for response to the Office Action dated March 4, 2005, now due to expire June 4, 2005, be extended for two month(s) and set to expire on August 4, 2005.

Please charge the extension fee of \$225.00 to Deposit Account No. 13-0206. Please charge any additional fees or credit any overpayment to Deposit Account No. 13-0206.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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Date: July 26, 2005

Please recognize our Customer No. 1923  
as our correspondence address.